

WILSON CONSIDERING WARNING TO KAISER

Strong Note to Berlin Government on the U-Boat Pledge in Prospect.

ARABIA CASE IN POINT

T. S. Contends Vessel's Status Must Be Presumed as Peaceable.

WASHINGTON, Dec. 8.—President Wilson is seriously considering the despatch of a warning note to Germany with reference to the pledge which the German government has made to the United States concerning methods of submarine warfare. This became known to-night following the cabinet meeting.

Secretary Lansing declined, as usual, to make any comment, but the statement is made authoritatively that the situation has now reached a stage where it may be necessary for this government to reach an understanding with Berlin concerning the interpretation of the German submarine commanders are giving to the American pledge.

As stated in THE SUN to-day, the German note with reference to the sinking of the passenger steamer *Arcturion* is regarded as involving a direct issue over the rights of an armed merchantman on the high seas. It was said at the State Department that the United States is not prepared to accept the German position and will insist that the status of vessels encountered by a warship on the high seas must be presumed to be that of a peaceable merchantman until contrary evidence proves the contrary.

Secretary Lansing has insisted that Germany had no right under international law to presume that such a vessel was an auxiliary warship and to act on that presumption. And Mr. Lansing declared significantly to-day that the position of the United States on the submarine issue had been changed since the time of the Sussex attack.

Officials of the State Department said that the whole submarine issue as affected by Germany's interpretation of the pledge might be dealt with in one communication from this government. So far no definite decision has been reached, it is said, but the original idea of the government to treat each case separately has been apparently abandoned because of the increasing seriousness of the situation.

All reports which reached the State Department today added to rather than decreased the concern of the government. "The status of the situation does not warrant undue excitement," according to one cabinet member, "but it is nevertheless rapidly assuming a disquieting aspect."

Secretary Lansing learned officially to-day that the British steamer *Arcturion*, which was sunk without warning and with the loss of six American lives, was not requisitioned by the British Admiralty nor was she under charter, and that she was justified in pursuing a course of peaceful commerce. This disposes of the German defense that the vessel was understood to be an auxiliary warship.

Count von Bernstorff is understood to believe that the *Marina* was formerly in the British Admiralty service, and that therefore the German submarine commander was justified in regarding her as an auxiliary warship, especially as Germany had never been informed that the vessel had again become an ordinary merchantman.

If it is proved that the *Marina* was formerly in the Admiralty service and named by a navy crew under orders to attack German naval craft, the German government will be bound to accept Secretary Lansing's own statement that "a vessel engaged intermittently in commerce and under a commission or orders of its government imposing a penalty, in pursuing and attacking enemy naval craft, possesses a status tainted with a hostile purpose which it cannot throw aside or assume at will."

It is because this issue may be involved that the *Marina* case is regarded as less serious than that of the *Arcturion*. In the latter case a passenger ship with women and children aboard was attacked without warning. The case stands out as an apparent violation of the American pledge and considered in connection with the other cases makes the whole situation look more grave.

Both the President and Mr. Lansing are desirous of giving the German government every opportunity to have a fair hearing in all cases involved, but the German explanations in the *Marina* and *Arcturion* cases are regarded as very weak. They are, in fact, very similar and identical with the original explanation which Germany made after the *Sussex* attack—namely that the submarine commander by the point on the vessel, the course she was taking, etc., presumed she was a transport or an auxiliary warship.

PALERMO REPORTED SAFE.

Cablegram Says Mistake Was Made About Torpedoed Ship.

BOSTON, Dec. 8.—A cablegram asserting that it was the steamer *Citta di Palermo*, and not the *Palermo*, that was torpedoed off the Spanish coast on December 5, was received here to-day. The message came to Robert A. Bolt & Co., marine underwriters of this city, from their business correspondents in London.

As local underwriters were heavily interested in the insurance of the *Palermo*, they were not and were not contented in the other vessel. They made special effort to obtain confirmation of the London report, but had received no definite word at the business closing hour.

The *Citta di Palermo*, an Italian vessel of 1,869 tons, has been in service between Buenos Ayres and Genoa. The *Palermo*, a much larger steamship, of 3,000 tons, was bound from New York to Genoa.

Our neighbor, Lord & Taylor's Book Shop, who has already had more experience in bookselling than we shall probably ever have, has discovered Sir Hugh Clifford, and suggests that we advertise his new book of Malay stories, "The Further Side of Silence."

We wish we knew how to do it effectively, but Brentano's, or the people in our shop, will be glad to tell you about him and his book.

Conducted by Doubleday Page & Company

WORK OF AMBULANCE CORPS IN FRANCE SEEN

Pictures Shown at Benefit Performance in Strand—Proceeds \$10,000.

The benefit at the Strand Theatre yesterday afternoon for the maintenance of the service corps of the American Ambulance was a patriotic demonstration, a social event of importance and a performance for charity. Scarcely any event could be better calculated to cement the friendship between France and America than the showing for the first time in public of pictures of the sometimes heroic work in the relief of the wounded performed by Americans at the front.

The films have been shown privately before in the home of Mrs. W. K. Vanderbilt at Newport, but they were first shown to the public yesterday through the courtesy of Mrs. Vanderbilt, Miss Anne Morgan and Miss Elizabeth Marbury. The pictures graphically illustrate the work done by the American drivers. There are many touching scenes in the handling of the wounded and there is some comedy also, as, for instance, when the French "polio" attempt to give "Carmen" in the trenches. German shells are seen bursting within a few hundred feet of the improvised theatre.

The pictures which excited the greatest interest, however, showed the laughing countenances of young American aviators who have since been killed in the service of France. There were many friends of the dead aviators in the audience.

Mr. Dorian read poems in French and English and pointed the autograph letter of Sarah Bernhardt expressing her regret at not being able to appear. Miss Ruth Draper appeared in a dramatic little war sketch called "Vive la France." Cooper Cliffe read a war poem, George Wharton Pepper of Philadelphia made the introductory address, and Daniel Frohman acted as stage manager and announced that the benefit had realized \$10,000 for the fund. Miss Beria of the Opera Comique sang the "Marseillaise."

Fifty young debutantes attired in French peasant costumes sold programmes.

WALLIS ESTATE \$762,224.

St. Christopher's Hospital Benefits to Exceed \$87,103.

Harrison Pownall Wallis, who died in a hospital at Mineola November 14, 1915, and was a member of the firm of Balch, Price & Co., left a gross estate of \$762,224.69, of which \$673,345.64 is net. The appraiser's report, filed yesterday in Brooklyn, fixes for the first time the exact amount, \$87,103, which Mr. Wallis, a bachelor, left to St. Christopher's Hospital for the Blind. The gift to St. Christopher's was the only charitable bequest. Half the estate went to friends and servants.

Mr. Wallis lived at 23 Pierrepont street. His bank deposits amounted to \$191,709.38, and his interest in Balch, Price & Co. is appraised at \$446,000.

WILLS AND APPRAISALS.

ROBERT L. IDE, died May 10, 1916, net estate, \$61,082. Mrs. Idalia L. Ide, widow, received \$61,082 and five brothers and sisters each \$100. Assets included insurance as special partner in brokerage firm of J. B. Wallis & Co., appraised at \$67,056.

MRS. FRANCES H. GREENWOOD, died July 11, 1911, net estate, \$128,801. Laurence Greenwood, husband, received \$128,801. Assets included consolidated stock exchange, \$200, and 198 shares stock of J. B. Wallis & Co., appraised at \$128,801.

EDWARD C. SMITH, died May 27, 1916, net estate, \$100,000. Assets included 100 shares of J. B. Wallis & Co. stock, appraised at \$100,000. The beneficiary, his wife, received \$100,000.

HEBERT A. SCHEFFEL, died September 12, 1914, net estate, \$227,128. Vivian Scheffel, widow, received a life interest in \$227,128, ten institutions received cash bequests of \$200 each. Assets included life insurance, \$90,120; stocks and bonds, \$14,708; other assets, \$132,200. The estate was appraised at \$227,128.

THE NATHAN STRAUSS PASTEURIZED MILK DEPOT, 2,000. The Nathan Strauss pasteurized milk depot, 2,000, was destroyed by fire on the night of December 5, 1916, and only one of them was lost by death.

7-23-4

Advance in price is an assurance to the smoker that the uniform high standard of this famous 10c. Cigar will be maintained. Factory, Manchester, N. H.

"Capitol Special" and "National Limited"

are new names given to the trains formerly known as the "Royal Special" and "Royal Limited," running between New York and Washington in five hours. These trains are the nation's pride, hence the change in names. All-steel, with the highest standard Coaches, Pullman Parlor Cars and Observation Cars. The Dining Car Service is worthy of special mention.

The "Capitol Special" will leave New York forty minutes later than heretofore. The "National Limited" will arrive New York fifteen minutes earlier.

THE SCHEDULES

Effective December 10

"Capitol Special" Leave N. York 12:30 p. m. Arrive Baltimore 1:30 p. m. Arrive Washington 2:30 p. m. Return to N. York 11:00 a. m.

"National Limited" Leave N. York 12:30 p. m. Arrive Baltimore 1:30 p. m. Arrive Washington 2:30 p. m. Return to N. York 11:00 a. m.

Secure tickets and make reservations at any of the following ticket offices: 1276 Broadway, 7th Floor, N. York; 1276 Broadway, 7th Floor, N. York; 1276 Broadway, 7th Floor, N. York.

Sec. OFF. General Eastern Passenger Agent, 1276 Broadway, New York

Telephone, Madison Square 3278

240 West 42nd St., New York

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WOMAN THE STAR AT CORRIGAN TRIAL

Audience Thought T. R. Would Be, but His Services Were Not Needed.

SAYS BOOK FIRM KNEW

Wife of Author Witnessed Conference With Vice-President, She Testifies.

Although Col. Roosevelt failed to appear as a witness yesterday and although a woman witness put finger into the trial of the \$200,000 libel suit which Magistrate Joseph E. Corrigan is bringing against the Robb-Merrill Company for publishing "God's Man," she was the former wife of George Bronson Howard, author of the book.

When it was made known that the Colonel was expected to be a witness the air in the courtroom immediately seemed to have a higher electric potential. But the spectators were disappointed, as the Colonel, who was quite willing to appear as a character witness for the Magistrate, was to be called only if attacks were made on the judicial reputation. So when the trial was adjourned the Magistrate went to tell the Colonel he would be needed, and the Colonel settled down to lambasting mollycoddlers.

She, now Mrs. Margaret Saville of Port Jefferson, L. I., when called to the stand before Supreme Court Justice Gott by Henry W. Arnold, attorney for the Magistrate, stated that she was lying with Howard in a cottage near Port Jefferson during the summer of 1915 when he was putting the last coat of thought on the novel, in which "Magistrate Corrigan" is so described that he could never be mistaken for the hero.

Just before last Christmas, about three months after the book had made its debut, Mrs. Saville said, she went with Howard to see John J. Curtis, vice-president of the publishing firm, about a matter of royalties for the reform work by Howard, whose book was publicly mentioned as being "needed to shock the city into mending its ways."

When Howard and the Colonel arrived to relate what the two men said in the office at 34 Union Square that day, Mrs. Saville first appeared as a hostile witness, but when she was asked to state the conversation, saying cryptically: "Frankly I haven't been given a fair deal in this case, and for that reason I do not care to say what Mr. Curtis or Mr. Howard said. I want to talk to Mr. Curtis first."

Justice Gott wouldn't allow any conference in court on matters how pay and royalties were to be paid, and a member of the defendant company, and having been admonished respectfully but firmly to tell her story she said that Howard asked Curtis what he would do if Judge Corrigan brought a libel suit. She said:

"Mr. Curtis remarked that it would stand before the book and be better for it." This testimony was considered by the plaintiff's counsel to be in line with his contention that the publishers knew that "God's Man" was published with the author had torrid feelings toward Magistrate Corrigan.

When Vice-President Curtis of the publishing company was put on the stand he said he didn't remember seeing Howard in December last, and though he had some dealings with the then Mrs. Howard concerning royalties he couldn't stand he had never heard of the Magistrate or of Jefferson Market Court, though he had lived here fifteen years.

A deposition from Treasurer Merrill in Indianapolis, Ind., was read to the jury in which he said the book concern had no literary agent and characterized as a "dramatic" agent Carl Bernhardt, who was represented as the publisher of the novel through the press.

STRAUS DEPOTS SEIZE 2,000.

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WAX SAYS THOUSAND WOMEN WANTED HIM

Not Boasting, of Course, but He Just Couldn't Help Attracting 'Em.

MOVIES NOW AFTER HIM

Appears Disappointed When Any One Falls to Identify Him as Oliver.

You may take it from Charles H. Wax, alias Oliver Osborne, that "thousands of women" have proposed to him. He doesn't boast about it, of course. It so happens that he can't help attracting them.

Watching Wax in the Federal Building yesterday afternoon, taking a correspondence course in courtesy, the little attentions that women note gratefully all come as second nature to him. Turning to the stenographer taking testimony in the office of Assistant District Attorney Roger B. Wood, he said yesterday in that larynx of his:

"The first impression is always the lasting and the true one." Naturally that made the stenographer ask what primary impression she had made in the heart of Wax.

"I think you are a charming and lovable girl." It is quite likely Wax said that in exactly the same tone to a girl in Washington State or in the Philippines. But how are the women going to check up on him? The stenographer just giggled with delight.

As Wax said yesterday, in helping another woman on with her overcoat, "It's the little things that count."

Thus far the daily reception in the Federal Building hasn't lost its zest for Wax. When somebody fails to identify him as Oliver, he does his best to refresh their memory. Seemingly he doesn't want anybody to withhold from him any of the notoriety that is Oliver's. Speaking of notoriety, the movies are after Wax. Mr. Wood walked into the office of United States Attorney Marshall yesterday afternoon and announced that fact.

"Well," said Mr. Marshall, tilting back in his chair and smoking reflectively, "I don't see how we are going to stop him if he wants to earn a little money. I suppose he can. But not here. Let him do it up at the Tonks if he likes." William L. Wemple, a former United States Assistant District Attorney, who dropped in on other business, but who was acquainted with Wax, said:

"I know you," said Wax, smiling and offering his hand with the friendliness of a hotel greeter. Mr. Wemple looked his astonishment, and then said the prisoner must have been joking with him.

"Oh, no, I'm quite serious about it," said Wax. "I came to see you in this building in 1911."

FACTS BROUGHT OUT.

Then it developed that in that year Wax had been accused by a woman, said to be the wife of a prominent man, of seducing her. The woman brought into the investigation early this week of swindling her out of several hundreds of dollars. Wax just dropped in on Mr. Wemple to explain away that unpleasant aspersion on his character. Mr. Wemple told him, not without regret, that the Federal authorities had nothing against him then, and Wax departed with a light heart, expressing the hope that some day he would be better acquainted with the gentlemen in the Federal District Attorney's office.

He was operating under the name of Raymond at that time, and according to Assistant District Attorney Samuel Hershenson posted as a Government official. Another man who called yesterday was claimed by the prisoner as an old acquaintance. This was Fred Lapp, painter, who used to work in the main hotel where Oliver Osborne registered. Lapp failed to identify Wax as

Rae Tanner's companion, although Mr. Wood gave him every opportunity. For several minutes the painter studied the faces of the men lined up with Wax and then gave it up. Mr. Wood insisted on his trying again, but with the same result. Then the Assistant District Attorney suggested that Lapp talk with every man in the room, so as to find out whether he would recognize the prisoner by his voice. Lapp worked through to the end of the line without halting before Wax.

Mr. Wood gave it up then, and asked Wax whether he could identify Lapp. Several minutes the painter studied the faces of the men lined up with Wax and then gave it up. Mr. Wood insisted on his trying again, but with the same result. Then the Assistant District Attorney suggested that Lapp talk with every man in the room, so as to find out whether he would recognize the prisoner by his voice. Lapp worked through to the end of the line without halting before Wax.

There were also tickets for an entertainment for a man who had lost a leg and another for a drawing on a \$5 gold piece in a cafe.

The witness said that the amount paid for such tickets are as taken in put down on the company's books as "incidental expenses" or "charity."

Sent People Home in Cabs. Mr. Evans said that sometimes he attended the "receptions" for which he bought tickets and even went to the expense of sending people home in cabs when there was a storm. He recalled an instance where he paid for cabs for thirteen people home from such a gathering. He added that such expenses are incidental to running a milk business and admitted that ultimately they are paid by the consumer who buys the milk.

A. J. Conklin, in charge of canvassers for a big insurance company on the East Side between 10th and Thirtieth streets, said his concern pays superintendents and janitors of apartments from 50 cents to \$1 for each customer they get who buys a quart of milk. He explained that the length of a householder's lease enters into the price paid.

Lowenfeld & Son, egg dealers at 345 Greenwich street, testified that on Tuesday last he bought a case of eggs (thirty dozen), from the State Department of Food and Markets, and that the eggs were not stamped "Cold Storage" despite the order of Commissioner John J. Dillon himself that the eggs should be so branded.

Eggs Were of Poor Quality. Winfield H. Mapes, a jobber in butter and eggs, of 17 Harrison street, bought five cases of cold storage eggs from J. L. Wright & Co. of 284 Washington street on December 6, and the cases bore the same mark as on eggs he bought direct from the Department of Food and Markets. Mapes declared that the words "cold storage" did not appear in two-inch letters, as the law requires, but that the cases were stamped in one-quarter inch letters. Mr. Mapes said that an official examination of the eggs according to a New York Mercantile Exchange report, showed that the eggs were "poor quality, no grade, badly shrunk, thin bodies and weak."

The Federal law, he added, "allows one dozen and a half bad eggs to a case, and the Mercantile Exchange has a similar rule."

"Then you complain that the State Department of Food and Markets asks you to stencil your cases of eggs in two inch letters, while they may stencil cases they sell in only one-quarter inch letters," asked Judge Waples.

"That's it exactly," replied Mapes. Frederick L. Jeffrie testified that he handles consignments of foods from many shippers and acts as commission merchant also for the Department of Food and Markets. He said that the law orders jobbers to stamp cases of eggs with letters two inches high, and that he is not enforced to do this as he is a wholesaler.

STORAGE EGGS CHEAPER.

Wholesale Price Drops 2½ Cents a Dozen in Two Days.

The wholesale price of cold storage eggs fell 1½ cents a dozen yesterday, a

FOUR JANITORS TELL OF FREE FOOD JOBS

Continued from First Page.

hour and is distributed. The driver returns later, and if any of the bottles are still left in the case he is saved considerable work. Mr. Evans said he didn't know how the system can be changed.

The witness told about appeals which are made to milk companies by employees in private houses, hotels, restaurants and saloons with authority to buy milk for the purchase of tickets to parties, balls, etc. He displayed a bundle of thirty or more such appeals. In the bundle was a booklet of tickets for a raffle on a plush chair which the company had bought.

"We had to take some chances," he said dryly. There were also tickets for an entertainment for a man who had lost a leg and another for a drawing on a \$5 gold piece in a cafe.

The witness said that the amount paid for such tickets are as taken in put down on the company's books as "incidental expenses" or "charity."

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